

AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions of claims in the application.

Listing of Claims:

1-78 (Canceled)

79. (Currently Amended) A method of lowering cholesterol in a mammal in need thereof, wherein said mammal expresses ~~expressing~~ a functional low density lipoprotein (LDL) receptor ~~without inducing hypertriglyceridemia~~, said method comprising intravascularly administering to said mammal a replication-defective adenoviral vector comprising a nucleic acid molecule that encodes ~~encoding~~ a secreted polypeptide, wherein said polypeptide comprises an amino acid sequence having at least amino acids 1-185 of SEQ ID NO: 2 but lacks amino acids 260-299 of SEQ ID NO: 2 ~~having between 185 and 215 amino acids of SEQ ID NO:2~~, wherein ~~said nucleic acid does not encode amino acids 260-299 of SEQ ID NO:2~~ and said polypeptide, when expressed in said mammal, lowers the total serum cholesterol level without inducing hypertriglyceridemia.

80-82 (Canceled)

83. (Currently Amended) A method of lowering cholesterol in a mammal in need thereof, wherein said mammal expresses ~~expressing~~ a functional low density lipoprotein (LDL) receptor ~~without inducing hypertriglyceridemia~~, said method comprising intravascularly administering to said mammal a replication-defective adenoviral vector comprising a nucleic acid

molecule that encodes ~~encoding~~ a secreted polypeptide having at least 90% sequence identity to an amino acid sequence comprising at least amino acid residues 1-185 of SEQ ID NO:2, wherein said nucleic acid does not encode amino acids 260-299 of SEQ ID NO:2 and said polypeptide, when expressed in said mammal, lowers the total serum cholesterol level without inducing hypertriglyceridemia.

84. (Currently Amended) The method of claim 83, wherein said ~~nucleic acid encodes a secreted polypeptide having~~ polypeptide has at least 90% sequence identity to amino acid residues 1-202 of SEQ ID NO:2.

85. (Currently Amended) The method of claim 84, wherein said ~~nucleic acid encodes a secreted polypeptide having an amino acid sequence identical to~~ polypeptide has 100% sequence identity to amino acid residues 1-202 of SEQ ID NO:2.

86. (Currently Amended) The method of claim 83, wherein said ~~nucleic acid encodes a secreted polypeptide having~~ polypeptide has at least 90% sequence identity to amino acid residues 1-229 of SEQ ID NO:2.

87. (Currently Amended) The method of claim 86, wherein said ~~nucleic acid encodes a secreted polypeptide having an amino acid sequence identical to~~ polypeptide has 100% sequence identity to amino acid residues 1-229 of SEQ ID NO:2.

88. (Currently Amended) The method of claim 83, wherein said ~~nucleic acid encodes a secreted polypeptide having~~ polypeptide has at least 90% sequence identity to amino acid residues 1-259 of SEQ ID NO:2.

89. (Currently Amended) The method of claim 88, wherein said ~~nucleic acid encodes a secreted polypeptide having an amino acid sequence identical to~~ polypeptide has 100% sequence identity to amino acid residues 1-259 of SEQ ID NO:2.

90. (New) The method of claim 83, wherein said polypeptide has 100% sequence identity to amino acid residues 1-185 of SEQ ID NO:2.

91. (New) The method of claim 83, wherein said vector is administered intravenously.

92. (New) The method of claim 91, wherein said vector is administered to an artery at the site of a lesion.

93. (New) The method of claim 83, wherein said mammal lacks an endogenous, normally functioning apoE gene.

94. (New) The method of claim 83, wherein said mammal is at risk for developing atherosclerosis due to accumulation of lipoprotein remnants in the bloodstream.

95. (New) The method claim of 83, wherein said nucleic acid is administered to or expressed in the liver of said mammal.

96. (New) The method of claim 83, wherein said polypeptide further comprises a signal peptide.

97. (New) The method of claim 96, wherein said signal peptide comprises a polypeptide having the amino acid sequence of SEQ ID NO: 13.

98. (New) The method of claim 83, wherein said nucleic acid encodes amino acids 1-203 of an apoE preprotein of any one of SEQ ID Nos. 14-19.

99. (New) The method of claim 83, wherein said nucleic acid encodes amino acids 1-220 of an apoE preprotein of any one of SEQ ID Nos. 14-19.

100. (New) The method of claim 83, wherein said nucleic acid encodes amino acids 1-247 of an apoE preprotein of any one of SEQ ID Nos. 14-19.

101. (New) The method of claim 83, wherein said nucleic acid encodes amino acids 1-277 of an apoE preprotein of any one of SEQ ID Nos. 14-19.